



PATENT
39003.811US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:
Gregory A. PICCIONELLI et al.

Group Art Unit: 3621

Examiner: J. Coppola

Serial No. 10/659,654

Filed: September 10, 2003

For: E-COMMERCE MULTILEVEL
MARKETING AND FRAUD
PREVENTION

SUPPLEMENTAL RESPONSE AND REQUEST FOR RECONSIDERATION
UNDER 37 CFR 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated May 7, 2009, and further in response to the Office Action dated August 29, 2008, applicant requests reconsideration of the application in view of the following remarks.

The PTO has taken the position that the previously submitted response failed fully to state why claim 9 defines statutory subject matter as required by 35 USC 101. Present claim 9 recites a method of eliminating fraudulent charge-backs associated with memberships in a destination site on a network. The recited method is tied to the use of a network and activation of a hyperlink on the network accessing the destination site. The method is thus tied to a machine or apparatus, namely a machine or apparatus capable of activating a hyperlink to a destination site on a network, and therefore defines statutory subject matter under 35 USC 101.

The PTO has also taken the position that the previously submitted response fails fully to explain why claims 6 and 7 comply with the definiteness requirement of 35 USC 112, second paragraph. Present claims 6 and 7 depend on present claim 29, added in the previously submitted response. Claim 29 includes steps a-g. Present claim 6 further defines step b) of claim 29. Present claim 7 further defines the membership recited in step a) of claim 29. Applicant therefore submits that claims 6 and 7 comply with the definiteness requirement of 35 USC 112, second paragraph.